Address 1

San St. Frank Mar Wall

Board of Appeals (Case No. 75-125-XSPH) dated November 29, 1977 to revise conditions

and restrictions numbers 3,6,9 and 10 conditioned in said Order in accordance with the provisions of the Amendment to Agreement dated

March 25, 1980, to be recorded among the Land Records of Baltimore County,

which Amendment to Agreement is attached hereto and considered a part hereof.

Property is to be posted and advertised as prescribed by Zoning I, or we, agree to pay expenses of above Special Hearing advertising, Regulations. posting, etc., upon filing of this petition, and further agree to and are

to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. York Lane Limited Partnership

By: Unk J. Munk J.

Clark F. MacKenzie Legal Owner Contract Purchaser Address_10807_Falls_Boad_____

> Lutherville, My 21093 Protestant's Attorney

Aldermaretitioner's Attorney Address 305 W. Chesapeake Avenue owson, Maryland 21204

ORDERED By the Zoning Commissioner of Baltimore County, this ____ 29th day of April 19680, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of June 19680. at9:30_o'clock___A:_M.

Zoning Commissioner of Baltimore County

RE: PETITION FOR SPECIAL HEARING SW corner of York Rd. and

LaPaix Lane, 9th District

: : BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

YORK LANE LIMITED PARTNERSHIP. : CASE NO. 80-250-SPH

::::::

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Petitioner

Pursuant to the authority contained in Section 524.1 of the Baltimore County Ci 1 ter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the jussage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 19th day of May, 1980, a copy of the aforegoing Order was mailed to R. Bruce Alderman, Esquire, 305 W. Chesapeake Avenue, Towson, Maryland 21204, Petitioner's Attorney.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNT FIRE DEPARTMENT TOWSON, MARYLAND 21204

PAUL H. REINCKE CHIEF

hay 23, 1980

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

Re: Property Owner: York Lane Limited Fartnership

Location: SW/C York Road & La Paix Lane

Item No:

Zoning Agenda: Meeting of April 29,1980

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

(X) 7. The Fire Prevention Bureau has no comments, at this time.

Josephnous K Fire Prevention Bureau Planning Group Special Inspection Division

baltimore county department of traffic engineering TOWSON, MARYLAND 21204 STEPHEN E. COLLINS

DIRECTOR

June 12, 1980

- ZAC - Meeting of April 29, 1980

TO SASTE CONTROLLE OF THE SASTE OF THE SASTE

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Item No. 214 Property Owner: Location: Existing Zoning: D.R. 16

York Lane Limited Partnership SW/L York Rd. & La Paix Lane Proposed Zoning: Special Hearing to amend the Board of Appeals Order

in Case No. 75-125-XSPH dated November 29, 1977, to revise conditions and restrictions Nos. 3, 6, and 10 contained in said Order with the provisions of the Amendment to Agreement dated March 25, 1980.

Acres: District: Note:

1.174

No site plans submitted with this Item. Refer to Item No. 73, 1974-75.

The requested amendments to the zoning order of case #75-125-XSPH is not expected to cause any traffic problems.

Engineer Associate II

MSF/mjm

Dear Mr. Hammond:

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 2, 1980

COUNTY OFFICE BLDG. 111 W. Chesipeake Ave. Towson, Maryland 21204 Nicholas B. Commodari

Bruce Alderman, Esquire 05 West Chesepeake Avenue Towson, Maryland 21204

MEMBERS Bureau of

Chairmin

Engineering Department of Traffic Engineering State Road's Commission

Bureau of Fire Prevention Health Department Project Planning Building Department Board of Eiucation Zoning Administration

RE: Item No. 214 Petitioner - York Lane Limited Partnership Special Hearing Petition

Dear Mr. Alderman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with he Zoning Commissioner with recommendations as to the suitability of the requested zoning.

The subject property, located at the southwest corner of York Road and La Paix Lane in the 9th Election District, is improved with an office building currently under construction, and an accessory parking area. Adjacent properties are improved with dwellings to the west along La Paix Lane and an office building to the south along York Road.

This property was granted a Special Exception as a result of Case No. 75-125-XSPH. Said order was granted with a number of restrictions, and this Special Hearing is being requested in order to revise restrictions Numbers 3, 6, 9, 10 that were listed in the order of the Board of Appeals. At the time of this writing, all comments from the Zoning Advisory Committee were not available. However, I scheduled this petition for a hearing date anyway. Since it is my understanding that no access is proposed from La Paix Lane, I believe that the comment from the State Highway Administration is not applicable. However, I suggest you confirm this with Mr. George Wittman of said department prior to the scheduled hearing.

R. Bruce Alderman, Esquire 305 West Chesepeake Avenue Towson, Maryland 21204

BALTIMORE COUNTY OF FICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your Petition has been received and accepted for filing this of April , 19 80.

> WILLIAM E. HAMMOND Zoning Commissioner

Petitioner York Lane Limited Fartnership

Petitioner's Attorney R. Bruce Alderman, Esq. Reviewed by

Nicholas B. Commodari Chairman, Zoning Plans Advisory Committee

Item No. 214 Special Hearing Petition Tune 2, 1980

Enclosed are all comments submitted to this office from the committee members at this time. The comments from the remaining members were not available. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI Chairman

Zoning Plans Advisory Committee

Enclosures

NbC:hk

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

- 1. The subject property was granted a special exception for an office building and denied a use permit for parking in a residential zone by Order of the then Zoning Commissioner, S. Eric DiNenna, dated May 22, 1975, which set forth certain restrictions (Case No. 75-125-XSPH). Said Order was amended by Order dated June 11, 1975.
- 2. Appeals to the aforesaid Orders were filed by both the Petitioners and the Protestants on June 23, 1,75.
- 3. The Board of Appeals concurred with the Zoning Commissioner by Order dated April 26, 1977. Said Order was appealed to the Circuit Court for Baltimore County by the Petitioners on May 24, 1977, and by the Protestants on May 25, 1977.
- 4. The Honorable John E. Raine remanded the case to the Board of Appeals "for clarification of its aforesaid Order, and the taking of any additional appropriate testimony", which resulted in an Order of the Board of Appeals, dated November 29, 1977, setting forth conditions and restrictions as more fully set forth in the Restrictive Covenants Agreement between the parties, dated November 23, 1977, and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr., No. 5871, folio 213 (Petitioner's Exhibit No. 2).
- 5. Subsequent thereto, the property was transferred to York Lane Limited Partnership, wherein the subject Petition for Special Hearing to approve "an amendment to the site plan and the Order of the Board of Appeals (Case No. 75-125-XSPH) dated November 29, 1977 to revise conditions and restrictions numbers 3, 6, 9 and 10 conditioned in said Order" was filed.
- The Petitioner and the Protestants herein hav: entered into an Amendment to Agreement, dated March 25, 1980, amending the original Agreement of November 23, 1977, and, thereby, have necessitated amendments to the Order of the Board of Appeals, specifically Paragraphs 3, 6, 9, and 10. In addition, they agreed at the time of the hearing to omit from any Order Subparagraph (d) of Paragraph 6 and, further, that the original Agreement shall remain in full force and en ect except to the extent of the amendments made by the Agreement of March 25, 1980.
- 7. The Amendment to Agreement, as hereinbefore referred to, is to be recorded among the Land Records of Baltimore County.

8 and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of June, 1980, that the Order of the Board of Appeals, dated November 29, 1977 (Case No. 75-125-XSPH), together with the Restrictive Covenants Agreement between the Petitioners, described as the owners and the contract purchaser therein, and the Protestants, described as the residents therein, dated November 23, 1977, and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr., No. 5871, folio 213, should be and the same are hereby AMENDED as follows:



Maryland Department of Transportation

James J. O'Donnell M. S. Caltrider

May 2, 1980

Mr. William E. Hammond Zoning Commissioner County Office Bldg. Towson, Maryland 21204

Attention: Mr. N. Commodari

Re: Z.A.C. Meeting, 4-29-80 ITEM: 124. Property Owner: York Lane Limited Partnership Location: SW/C York Rd. (Route 45) & La Paix La. Existing Zoning: D.R. 16 Proposed Zoning: Special Hearing to amend the Board of Appeals Order in Case No. 75-125-XSPH dated November 29, 1977, to revise conditions and restrictions Nos. 3, 6 and 10 contained in said Order with the provisions of the Amendment to Agreement dated March 25, 1980. Acres: 1.174 District: 9th Note: No site plans submitted with this Item. Refer

to Item No. 73, 1974-75

Dear Mr. Hammond:

The State Highway Administration is concerned about the lifting of Restriction No. 3 at La Paix Lane.

If the access is granted to La Paix Lane the plan must be revised. The radius at the southwest corner of La Paix Lane and York Road must be increased to 30'.

The plan must be revised prior to a hearing date being assigned.

Very truly yours, Charles Lee, Chief Bureau of Engineering Access Permits

CL;GW;vrd Enclosure

theye Willow a By: George Wittman My telephone number is (301)383-4320

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

RE: FETITION FOR SPECIAL EXCEPTION for Offices and Office Building and SPECIAL HEARING for Off-Street Parking in a residential zone SW corner of York Road

FROM THE CIRCUIT COURT and LaPaix Lane 9th District FOR

William F. Chew, et al Petitioners 7400 York Road Partnership Contract Purchaser

BALTIMORE COUNTY AT LAW

ON REMAND

Misc. 10/378/6253

Zoning File #75-125-XSPH

OPINION

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44. **9**

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The latest

This case came before the Board on an appeal from the Order of the Zoning Commissioner, which granted the special exception for offices and office building and denied

the requested off-street parking in a residential zone. From that decision both the Petitioner and Protestants appealed.

This case was heard before the Board of Appeals of Baltimore County, at which time substantial evidence was produced on behalf of the Petitioner and the Protestants to the subject proposal. Following the hearing, an Opinion and Order thereon was handed down by this Board on the 26th of April, 1977.

Subsequently, this case, on timely appeal, was heard by the Circuit Court for Baltimore County, The Honorable John E. Raine, Jr. presiding. From that tribunal the case has been remanded to this Board by Judge Raine for clarification of its aforesaid Order, and the taking of any additional appropriate testimony.

This case was scheduled for hearing on October 13, 1977, at which time , counsel for all parties entered into a stipulation that all differences had been resolved by entering into an agreement containing covenants which were mutually acceptable to all interested parties; said covenants which are or are intended to be recorded among the land records of Baltimore County. At the time of the hearing, a revised development plat to accompany the agreement between all parties of this case was submitted to the Board, and will be referred to as the Board's Exhibit A. Additionally, a list of proposed conditions which had been agreed upon by the parties to this case were submitted to the Board, which encompassed those conditions contained in our Order of April 26, 1977, as well as additional



DALTIMORE COUNTY
OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204

JOHN D. SEYFFERT DIRECTOR

May 27, 1980

Mr. William Hammond, Zoning Commissioner Zonina Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #214, Zoning Advisory Committee Meeting, April 29, 1980, are as follows:

Property Owner: York Lane Limited Partnership Location: SW/C York Road and La Paix Lane Acres: 1.174 strict: 9th

This office has reviewed the subject petition and offers the following comment. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

After a field inspection of the site, this office has determined an as-built site plan will be required before any comments will be forwarded.

Very truly yours,

John Lev mbly John L. Wimbley Planner III

Current Planning and Development

William F. Chew, et al - 10/378/6253

detailed and restrictive conditions to be placed upon the Petitioners.

Although this Board is not controlled nor directly affected by covenants between Petitioners and Protestants, it is impressed by those proposed in this case and agreed to by the Petitioners. Accordingly, the Board will amend its Order of April 26, 1977, by reiterating the conditions imposed therein and by adding conditions as stipulated by the parties hereto.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 29th day of November, 1977, by the County Board of Appeals, ORDERED that we reaffirm our decision of April 26, 1977 as far as granting the special exception and denying the special The conditions and restrictions imposed in the aforementioned Order shall be amended to read as follows:

- The maximum height of the building must be thirty-five (35) feet.
- 2 The maximum square footage of said building shall not exceed 10,000 square feet per floor.
- There shall be no entrance or exit from LaPaix Lane onto the subject property, and the trees existing within the street right-of-way shall not be destroyed by the Petitioner or subsequent developer.
- 4. A site plan must be approved by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning.
- The building shall:

a. Be located on the lot as shown on the plat entitled "Exhibit A Plot to Accompanying Special Agreement," which plat is attached hereto and labeled Exhibit A.

b. Be predominantly of brick construction, with such brick being of either a brownish hue or approximately the same shade as those bricks contained in the adjacent building known as 7400 York Road. The building window frames are to be of steel or anodized aluminum with single or multiple glass panes. Windows are to be spaced on north and west sides as shown an plat entitled "Window Layout For Proposed 3-Story Office Building, York Road and LaPaix Lane, Baltimore County, Maryland, BALTIMORE COUNTY
DEPARTMENT OF HEALTH DEPARTMENT OF HEALTH TOWSON, MARYLAND 21204 DONALD J. ROOP, M.D., M.P.H. DEPUTY STATE & COUNTY HEALTH OFFICER

May 27, 1980

Mr. William R. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Acres:

Note:

Comments on Item #214, Zoning Advisory Committee Meeting of April 29, 1980, are as follows:

Existing Zoning: D.R. 16

Property Owner: York Lane Limited Partnership SW/C York Rd. & La Paix La.

Proposed Zoning: Special Hearing to amend the Board of Appeals Order in Case No. 75-125-XSPH dated November

29, 1977, to revise conditions and restrictions Nos. 3, 6, and 10 contained in said Order with the provisions of the Amendment to Agreement dated March 25, 1980.

1.174

District:

No site plans submitted with this Item. Refer to Item No. 73, 1974-75.

Metropolitan water and sewer exist; therefore, no health hazards are anticipated.

> Very truly yours, Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

IJF/fth

William F. Chew. et al - 10/378/6253

August 30, 1977," which plat is attached hereto and labeled Exhibit B; provided, however, there shall be allowed a variance of plus or minus two feet in such spacing. The windows shall be of the approximate size as shown on such plat.

- c. Be of a height, including the parapet along the roof, not to exceed 35' above elev ation of 477.5' at west side of proposed building and not to exceed 32.5' above elevation of 480' at east side of proposed building, all as shown on Exhibit A.
- d. Have that exterior air conditioning equipment situated on the roof placed as close as possible to the center of the roof.
- 6. Vehicle parking areas shall be as delineated on Exhibit A and possibly in front of the building and shall not be lighted.
- The parking lot shall contain a sufficient number of storm water drains so as to assure that there is no more surface water runoff onto LaPaix Lane or onto properties located contiguous to the subject property than presently runs off.
- Trash collection bins or dumpsters shall be located near the subject lot's southerly property line no closer than sixty (60) feet to the westernmost property line.
- There shall be a retaining wall of brick construction along the western edge of the proposed parking area as described in paragraph number 3 of the General Notes us shown on Exhibit A. There shall be constructed atop the retaining wall a 5' high redwood weave fence. The retaining wall and the five foot redwood weave fence shall be properly maintained by the owner of the proposed office building.
- Screening along the west lot line of "Area A" and the north lot line in the area labeled "Proposed Planting Area" to a point adjacent to the northeastern corner of the area labeled "Proposed Parking Spaces" north of the proposed office building, all as shown on Exhibit A, shall be one of the following:

Canadian hemlock, leyland cyprus, American arborvitae, nigra arborvitae or techny arborvitae.

which screen trees shall be of a minimum height of five feet to six feet and the trunks of which shall be on two and onehalf to three foot centers.

MERCHEMEN

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES TOWSON, MARYLAND 21204 494-3610 TED ZAŁESKI, JR May 19, 1980 Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building NO PLANS Towson, Maryland 21204 Dear Mr. Hammond: Comments on Item #214Zoning Advisory Commenter Meeting, Property Owner: York Lane Limited Partnership Location: EWC York Road & La Paix Lane Existing Zoning: D.R. 16 Proposed Zoning: D.R. 10
Proposed Zoning: Special Hearing to amend the Board of Appeals Order in Case No. 75125-XSPH dated November 29, 1977 to revise conditions and restrictions Nos. 3, 6,
and 10 contained in said Order with the provisions of the Amendment to Agreement dated March 25, 1980. NOTE: No site plans submitted with this Item-Refer to Item No. 73, 1974-75. X A. All structures shall conform to the Baltimore County Building Code 1978, the and other miscellaneous permit shall be required before beginning construction. I C. Residential: Three sets of construction drawings are required to file a permit

State of Maryland Code for the Handicapped and Aged; and other applicable Codes. application. Architect/Engineer seal is/is not required. X D. Commercial: Three sets of construction drawings with a Maryland Registered or Engineer shall be required to file a permit application. E. In wood frame construction an exterior wall erected within 6' 0 of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0 of lot line. A minimum 8" masonry fir wall is required if construction

F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____. G. A change of occupancy shall be applied for, along with an alteration permit application, and three required set s of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 214. XI. Comments As there does not appear to be comments for Item 73, 1974-75 and

no drawings to review please observe the limited items checked as may be applicable. NOTE. These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122

(Plans Review) at 111 West Chesapeake Ave., Towson.

Charles E. Burnham, Chief Plans Review

CEB:rrj

Any appeal from this decision must be in accordance with Rules B-I thru B-12 of the Maryland Rules of Procedure.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNT

Walter Al Reiter, Ur., Chigirma

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Par - Parlamenta (Maria

, 1977, by and between WILLIAM C. WARMAN and HELEN T. WARMAN, his wife, CHARLES DI JULIO and ANNA V. DI JULIO, his wife, and WILLIAM M. LEVY and ELIZABETH DAY LEVY, his wife, of the first part (hereinafter referred to as "Residents") and WILLIAM F. CHEW and DOROTHEA H. CHEW, his wife, owners, and ROBERT J. ARIOSA and JOSEPH A. ARIOSA, contract purchasers, all of the second part (hereinafter referred to collectively as "Builders").

THIS ACREMENT, made and entered into this 23 day of

WHEREAS, William F. Chew and Dorothea H. Chew are the owners of the tract of land described below: and

WHEREAS, Joseph A. Ariosa and Robert J. Ariosa are the contract purchasers of such tract of land and desire to develop with a three-story office building and adjacent parking, which development would require a Special Exception under the Baltimore County Zoning Regulations to permit construction of the proposed office building in the present DR-16 zoning classification of the land: and

WHEREAS, the Builders have undertaken certain proceedings in Baltimore County to obtain the required Special Exception and specifically have applied therefor by filing Request for Special 'Exception No. 75-125-XSPH; and

WHEREAS, the Residents are residents in and property owners in the area to be affected by use of the below described property residing in properties fronting on LaPaix Lane, which lane runs along the northernmost boundary of the property herein described and, being so affected, they enter into this Agreement for the 'purpose of implementing and protecting their property rights by limiting the use of the described property; and

WHEREAS, the Builders and the Residents desire to place certain restrictions and conditions upon the property described i below; and

WHEREAS, in order to have the covenants, restrictions and conditions in this Agreement binding and in full force and effect on the described parcel of land upon the present and future owners and occupants thereof, the parties have entered into this Agreement with the intent that the Builders, their successors, heirs and assigns, will hold, utilize and thereafter convey that property so described subject to the covenants, restrictions and conditions herein contained.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH: That in consideration of the mutual agreements, covenants, restrictions and conditions herein contained, and the sum of Five Dollars (\$5.00) 'paid by each party to the other, and for other good and valuable considerations, receipt of which is hereby mutually acknowledged,

4/6/78 EMKD 5871/213

MICROFILMED

8. Screening along the west lot-line of "Area A" and the north lot lib in the area labeled "Pro sed Planting Area" to a point adjacent to the northeastern corner of the area labeled "Proposed Parking Spaces" north of the proposed office building, all as shown on Exhibit A, shall be one of the following: Canadian hemlock, leyland cyprus, American arborivatae, nigra arborivatae or techny arborivatae, which screen trees shall be of a minimum height of 5 feet to 6 feet and the trunks of which shall be on 2 1/2 to 3 foot centers.

9. The Builders hereby agree that these covenants, restrictions and conditions shall run with and be binding on the land described in 1 above and shall inure to the benefit of and shall be jointly and severally enforceable by the Residents of those parcels of real property fronting on LaPaix Lane and bearing improvement numbers 101, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 115, 117 and 119 LaPaix Lane.

10. The restrictions, conditions and covenants set forth in this Agreement may be terminated, altered or amended by an Agreement signed by the Builders, their successors and assigns, and the Howners of record according to the Baltimore County Land Records of a number equal to at least 2/3 of the owners of the properties fronting on LaPaix Lane and referred to in paragraph 9, above.

11. The recording of this Agreement among the Land Records of Baltimore County shall be at the cost and expense of the Builders.

THE RESIDENTS AGREE AS FOLLOWS:

A. That they agree to dismiss and discontinue their appeal to the Circuit Court for Baltimore County from any Order of the Baltimore County Board of Appeals giving and granting unto the Builders, their heirs and assigns, the Special Exception for office building use as defined herein.

B. That this Agreement in its entirety may be declared null and void at the option of the Builders should the Request for Special Exception (Case No. 75-125-XSPH) not be granted by the Baltimore County Board of Appeals or, having been so granted, there having been an appeal from such granting so that the aforesaid Special Exception does not become final and effective. Should the Order of the Baltimore County Board of Appeals granting the Special Exception in Case No. 75-125-XSPH become final and nonappealable, this Agreement and each and every covenant, condition and restriction herein shall be in full force and effect.

ALL PARTIES AGREE AS FOLLOWS:

1. All the agreements, covenants, restrictions and condi-Itions contained in this instrument shall be binding upon and inure

to the benefit of the heirs, successors and assigns of the parties hereto and all persons claiming by or through them or any of them, shall run with the land and be binding upon the property hereinlabove described.

2. The failure to enforce any of the covenants, restrictions and conditions herein contained, in any instance, shall in no event constitute a waiver or estoppel of the right to enforce the same or any other covenants, restrictions or conditions in the event of another violation occurring prior or subsequent thereto. Moreover, in the event any one or more of the covenants, restrictions and conditions herein contained should for any reason be declared invalid, the remaining covenants, restrictions and conditions shall continue in full force and effect

3. This Agreement contains the entire understanding between the parties and each of the parties hereto warrants that he or she has carefully read and understands this Agreement and is cognizant of the terms hereof and has had ample time to have it fully explained by counsel of their own choosing of their respective rights and obligations with respect to all matters involved in this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this

!	greement the day and year first above written.						
	WITNESS: Locaden	William C. Warman					
Ì	Batta L Breiden	March to de cornere					
	Bett. L Brusda	Charles DiJulio	(SEA				
	Betty L Broader	and the same	_(SEA				
: : : :	Betta L Breiden	William M. Levy	_(SEA				
	Bett L Brieder	Elizabeth Day Ley, his/wife					
	Plain Frence	William F. Chew	_(SEA				
	C. Can Fredence	Dorothea H. Chew, his wife	(SEA				
	w-first	Just of man	_(SEA				
	Life.H	Robert J. Ariosa Joseph A. Ariosa	_(SEA				

the parties hereby agree to enter into these presents and to have the same recorded among the Land Records of Baltimore County, and that the covenants, restrictions and conditions shall run with and be binding upon the aforesaid tract of land and upon present and all future owners thereof and shall inure to the benefit of each of the parties hereto and also shall inure to the benefit of the residents of those residences described in the ninth provision to which the Builders agree, their successors, heirs and assigns, as follows:

THE BUILDERS AGREE AJ FOLLOWS:

1. That the property described immediately below is the property subject to the terms, restrictions and conditions of this Agreement:

Beginning for the same at the corner formed by the West side of the York Road and the South line of LaPaix Avenue as laid out thirty-three (33) feet wide and running thence southerly binding along the west side of York Road two hundred twenty-five (225) feet, more or less, to the southernmost outline of the whole lot of ground (of which that hereby conveyed is a part) which by deed dated September 14, 1907, and recorded among the Land Records of Baltimore County aforesaid in Liber WPC No. 316, folio 554, etc. was granted by Alexander Nisbet Turnbull, Trustee, unto the said George G. Davis and thence westerly in a line parallel with LaPaix Avenue and bounding along the said southernmost outline of the said lot of ground hereinbefore mentioned or referred to two hundred twenty-five (225) feet, more or less, to the easternmost outline of the lot of ground which by deed dated November 26, 1919, and recorded among the Land Records of Baltimore County aforesaid in Liber WPC No. 518, folio 245, etc., was granted and conveyed by George G. Davis and Grace G. Davis, his wife, unto Robert C. Ziegler and Annie E. Ziegler, his wife, and thence in a northerly direction parallel with York Road and bounding along the said easternmost outline of the said lot of ground hereinbefore last mentioned or referred to two hundred twenty-five (225) feet, more or less, to the south line of LaPaix Avenue and thence easterly bounding along the south line of LaPaix Avenue two hundred twentyfive (225) feet, more or less, to the place of beginning. The improvements thereon being known and designated as the southwest corner of York Road and LaPaix Avenue.

Being also the same lot of ground which by deed dated April 14, 1962, and recorded among the Land Records of Baltimore County in Liber WJR 3981, folio 602, was granted and conveyed by Elva S. Cruse, Widow, unto William F. Chew and Dorothea H. Chew, his wife.

I HEREBY CERTIFY that on this 28th day of October, 1977.

I HEREBY CERTIFY that on this 18th day of October, 1977.

I HEREBY CERTIFY that on this 18th day of October, 1977.

before me, a Notary Public of the State of Maryland, in and for

DAY LEVY, his wife, two of the within named parties of the first

part, and they acknowledged the aforegoing Agreement to be their

Baltimore County, personally appeared WILLIAM M. LEVY and ELIZABETH

before me, a Notary Public of the State of Maryland, in and for

the first part, and they acknowledged the aforegoing Agreement to

Baltimore County, personally appeared CHARLES DI JULIO and

ANNA V. DI JULIO, his wife, two of the within named parties of

be their act and in my presence signed and sealed the same.

before me, a Notary Public of the State of Maryland, in and for

WARMAN, his wife, two of the within named parties of the first

part, and they acknowledged the aforegoing Agreement to be their

Baltimore County, personally appeared WILLIAM C. WARMAN and HELEN T

STATE OF MARILAND, CITY OF BALTIMORE, CS wil:

act and in my presence signed and sealed the same.

AS WITNESS my hand and Notarial Seal.

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

AS WITNESS my hand and Notarial Seal,

STATE OF MARYLAND, CITY OF BALTIMORE, to wit:

act and in my presence signed and sealed the same.

AS WITNESS my hand and Notarial Seal.

2. Duilding shall:

a. Be located on the lot as shown on the plat entitled "Exhibit A Plat to Accompanying Special Agreement", which plat is attached hereto and labeled Exhibit A.

b. Be predominantly of brick construction, with such brick being of either a brownish hue or approximately the same shade as those bricks contained in the adjacent building known as 7400 York Road. The building window frames are to be of steel or anodized aluminum with single or multiple glass panes. Windows are to be spaced on north and west sides as shown on plat entitled "Window Layout For Proposed 3-Story Office Building, Tork Road at LaPaix Lane, Baltimore County, Maryland, August 30, 1977", which plat is attached hereto and labeled Exhibit B; provided, however, there shall be allowed a variance of plus or minus two feet in such spacing. The windows shall be of the approximate size as shown on such plat.

c. Be of a height, including the parapet along the roof, not to exceed 35 feet above elevation of 47715 feet at west side of proposed building and not to exceed 32.5 feet above elevation of 480 feet at east side of proposed building, all as shown on Exhibit A.

d. Have that exterior air conditioning equipment situated on the roof placed as close as possible to the center of

 Vehicle parking areas shall be as delineated on Exhibit A and possibly in front of the building and shall not be

4. The parking lot shall contain a sufficient number of storm water drains so as to assure that there is no more surface water run off onto LaPaix Lane or onto properties located contiguous to the subject property than presently runs off.

5. Trash collection bins or dumpsters shall be located near the subject lot's southerly property line no closer than 60 feet to the westernmost property line.

6. There shall be no exit or entrance from the subject property to LaPaix Lane and trees existing within the street right-of-way line shall not be destroyed by developer.

7. There shall be a retaining wall of brick construction halong the western edge of the proposed parking area as described in paragraph number 3 of the General Notes as shown on Exhibit A. There shall be constructed atop the retaining wall a 5 foot high redwood weave fence. The retaining wall and the 5 foot redwood weave fence shall be properly maintained by the owner of the proposed office building.

I HEREBY CERTIFY that on this 7th day of November, 1977, before me, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared ROBERT J. ARIOSA and JOSEPH A. ARIOSA, two of the within named parties of the second part, and they acknowledged the aforegoing Agreement to be their act and in my presence signed and sealed the same.

AS WITNESS my hand and Notarial Seal.

STATE OF MARYLAND, COUNTY OF BALTIMORE, t. wit:

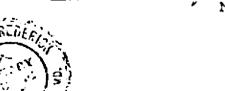
I HEREBY CERTIFY that on this 23 - day of November, 1977, before me, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared WILLIAM F. CHEW, one of the within named parties of the second part, and he acknowledged the aforegoing Agreement to be his act and in my presence signed and sealed the same.

AS WITNESS my hand and Notarial Sea

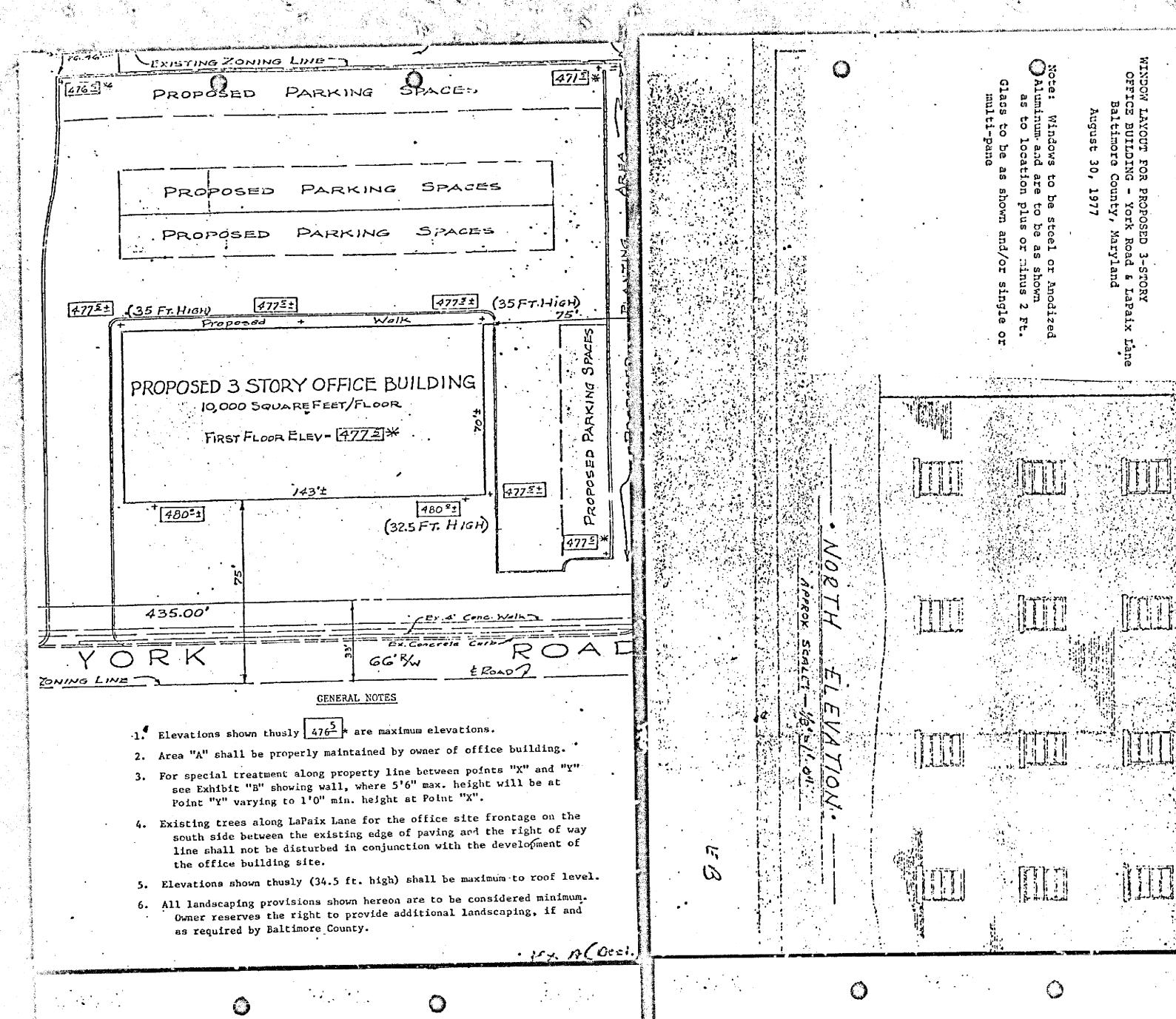
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 22 day of November, 1977, before me, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared DOROTHEA H. CHEW, one of the within named parties of the second part, and she acknowledged the aforegoing Agreement to be his act and in my presence signed and sealed the same.

AS WITNESS my hand and Notarial Seal



STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:



of York Road and La Paix Lane, which Agreement was dated November 23, 1977 and recorded among the Land Records of Baltimore County on April 6, 1978 in Liber E.H.K.Jr. No. 5871, Folio 213; and

WHEREAS, by the provisions of Paragraph 10 on page 4 of the aforesaid Agreement, the restrictions, conditions and covenants set forth therein may be amended "by an agreement signed by the Builders, their successors and assigns, and the owners of record according to the Baltimore County Land Records of a number equal to at least two-thirds of the owners of the properties fronting on La Paix Lane . . . "; and

WHEREAS, Builder is the successor and assign of "the Builders" referred to in Paragraph 10 and the parties to this Agreement designated as Residents constitute at least two-thirds of the owners of the properties fronting on La Paix Lane referred to therein; and

WHEREAS, the parties have determined to make certain amendments to the covenants, restrictions and conditions imposed by the aforesaid Agreement and to execute this Amendment to Agreement in order to effectuate same.

NOW, THEREFORE, THIS AMENDMENT TO AGREEMENT
WITNESSETH that in consideration of the mutual agreements,
covenants and restrictions contained herein, as well as
the sum of Five Dollars (\$5.00) and other good and valuable
considerations, the receipt and sufficiency of which are
hereby acknowledged, the parties do hereby agree to the
following amendments to the Agreement, referred to above,
dated November 23, 1977 and recorded among the Land Records
of Baltimore County in Liber E.H.K.Jr. No. 5871, Folio 213:

1. Paragraph 3, page 3 of the Agreement is amended to read as follows:

3. Vehicle parking shall be substantially as designated on Exhibit A, attached hereto and considered a part hereof. The exterior of the building and surrounding areas shall be lighted substantially as follows:

(a) Four lights along the western line of the parking lot located either on the curb or on the inside of the curb having a maximum height above the parking lot of five feet no inches. These lights shall be shielded along the tops and sides.

(b) Four lights, one at each corner of the building, having a maximum height of four feet no inches. These lights shall be shielded and emit a soft light.

(c) Three lights, one at each entrance way along the western side of the building, located six feet no inches above the entrance threshold each have a 75 watt maximum alumination and each shielded so that the light flows downward only.

(d) Three lights, one at each entrance way on the York Road side of the building, having a maximum height of seven feet no inches.

2. Paragraph 6, page 3 of the Agreement is amended to read as follows:

6. There shall be no exit or entrance from the subject property to La Paix Lane and the certain trees along La Paix Lane, which shall reasonably be determined by Builder to be diseased, shall be removed. Some of these trees exist along the northern property line and some exist within the street right-of-way line. Developer will expeditiously notify appropriate departments in Baltimore County regarding said tree removal.

3. Paragraph 7, page 3 of the Agreement is amended to read as follows:

7. There shall be no retaining wall along the western boundary or any other boundary of the subject property. Along the western boundary line of the property, Builder shall cause a fence, of redwood weave construction, to be erected. This fence shall be six feet high, constructed immediately adjacent to the outside of the parking lot curb and shall connect with the existing fence on the lot immediately adjacent to the south of the subject property. Builder will also cause a similar fence to be erected along the La Paix Lane side of the subject property, immediately adjacent to the outside of the parking lot curb. This fence shall extend from the fence along the western boundary line to a point directly in line with the rear or westernmost building line of the improvements constructed by Builder. The area immediately adjacent to the outside of the fence

erected along the La Paix Lane boundary shall be screen planted as designated in Paragraph 8, unless an alternate planning design is approved and signed by two-thirds of the property owners designated in Paragraph 9.

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4. The parties agree that the terms, covenants and conditions contained within this Amendment to Agreement should be incorporated into such Order as may be passed by the appropriate zoning authority in Baltimore County so as to permit construction in accordance herewith. All parties will cooperate in obtaining such zoning order.

5. The parties agree that this Amendment to
Agreement should be recorded among the Land Records of
Baltimore County and all recording costs shall be paid by
Builder.

6. As to all its other terms, covenants and conditions, the Agreement, hereinabove referred to, dated November 23, 1977, are affirmed and ratified.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to Agreement the day and year first above written.

WITNESS:	
/ William M. Levy	William C. Warman (SEAL)
William M. Levy	Helen T. Warman
William M. Levy	Charles DiJulio (SEAL)
William M. Levy)	Anna V. DiJulio (SEAL)
Bettie L. Breeden	William M. Levy (SEAL)
Bettie L. Breeden	Elizabeth Day Levy (SEAL)

AMENDMENT TO AGREEMENT

THIS AMENDMENT TO AGPFEMENT, made and executed this 25th day of March, 1980, by and between WILLIAM C. WARMAN and HELEN T. WARMAN, his wife, whose residence is 101 La Paix Lane, CHARLES DIJ'LIO and ANNA V. DIJULIO, his wife, whose residence is 104 La Paix Lane, WILLIAM M. LEVY and ELIZABETH DAY LEVY, his wife, whose residence his 105 La Paix Lane, ROBERT HOHMAN and BARBARA HOHMAN, his wife, whose residence is 103 La Faix Lane, VIOLA WHITTLE, whose residence is 106 La Paix Lane, JOSEPH ARGABRIGHT and ESTELLE ARGABRIGHT, whose residence is 107 La Paix Lane, RALPH POWERS and ANN POWERS, his wife, and PATRICIA POWERS, whose residence is 108 La Paix Lane, EMMANANTEMENTAL

EVER 3

WHEREAS, an Agreement was entered into by
William C. Warman and others providing for certain restrictions
and conditions on the development and building of an office
building on the property located at the southwest corner

WITNESS: / William M. Levy William M. Levy William M. Levy/ William M. Lev William M. Levy William M. Levy William M. Levy hallen Alle street to see the (SEAL) William M. Levy Patricia Powers Milian Marie James L. Jacone (SEAL) William M. Levy Mimi Iacone (SEAL) William M. Levy Victor Backer (SEAL) William M. Levy Catherine Barker (SEAL) Muchal William M. Levy

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WITNESS: William M. Levy William M. Levy -. Wilson Kriefman (SEAL) William M. Levy William M. Levy RESIDENTS YORK LANE LIMITED PARTNERSHIP

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 13th day of March. 1980, before me, the subscriber, a Notary Public f the State aforesaid, personally appeared WILLIAM C. WARMAN and HELEN T. WARMAN, his wife, two of the within named parties of the first part, and they acknowledged the foregoing to be their act and executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

My Commission Expires:

My Commission Expires:

My Commission Expires:

7/1/82

7/1/82_

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 13th day of March, 1980, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared CHARLES DIJULIO and ANNA V. DiJULIO, his wife, two of the within named parties of the first part, and they acknowledged the foregoing to be their act and

AS WITNESS my hand and Notarial Seal

I HEREBY CERTIFY, that on this Bthday of March,

Notary Tublic William M. Levy/

I HEREBY CERTIFY, that on this 25 day of March .

1980, before me, the subscriber, a Notary Public of the State

aforesaid, personally appeared CLARK F. MacKENZIE , who acknowledged himself to be the General Partner of York Lane

Limited Partnership, and that he, as such General Partner,

AS WITNESS my hand and Notarial Seal.

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being authorized so to do, executed the foregoing instrument

1980, before me, the subscriber, a Notary Public of the State

aforesaid, personally appeared D. WILSON KAUFFMAN and HELEN

first part, and they acknowledged the foregoing to be their

act and executed the same for the purposes therein contained.

KAUFFMAN, his wife, two of the within named parties of the

AS WITNESS my hand and Notarial Seal.

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

for the purposes therein contained.

Notary Public

William M. Levy

executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

Notary Public William M. Levy

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

My Commission Expires:

7/1/82

I HEREBY CERTIFY, that on this 13th day of March, 1980, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared WILLIAM LEVY and ELIZABETH DAY LEVY, his wife, two of within named parties of the first part and they acknowledged the foregoing to be their act and

AS WITNESS my hand and Notarial Seal.

executed the same for the purposes therein contained.

Z. Drudens Bettie L. Breeden

My Commission Expires: 7/1/82

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 13thday of March, 1980, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared ROBERT HOHMAN and BARBARA HOHMAN, his wife, two of the within named parties of the first part, and they acknowledged the foregoing to be their act and executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

My Commission Expires: 7/1/82

My Commission Expires:

7/1/82_

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 13th day of March, 1980, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared VIOLA WHITTLE, one of the within named parties of the first part, and she acknowledged the foregoing to be her act and executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

受/ *sknexY≅ 🖰 William M. Levy

1. Condition and restriction No. 3 of said Order is hereby amended

There shall be no exit or entrance from the subject property to La Paix Lane and certain trees along La Paix Lane, which shall reasonably be determined by the builder to be diseased, shall be removed. Some of these trees exist along the northern property, as well as within the street right-of-way line. The developer will expeditiously notify appropriate departments in Baltimore County regarding said tree removal.

2. Condition and restriction No. 6 of said Order is hereby amended

Vehicle parking shall be substantially designated as on Exhibit A, attached to the Amendment to Agreement, dated March 25, 1980, and considered a part hereof by incorporation by reference hereto. The exterior of the building and surrounding areas shall be lighted substantially as follows:

- located cither on the curb or on the inside of the curb, having a maximum height above the parking lot of five feet. These lights shall be shielded along the tops and sides.
- b. Four lights, one at each corner of the building, having a maximum height of four feet. These lights shall be shielded and emit a soft light.
- ern side of the building, located six feet above the entrance threshold, each having a seventy-five watt maximum alumination and each shielded so that the light flows downward only.
- 3. Condition and restriction No.) of said Order is hereby amended

other boundary of the subject property. Along the western boundary line of the property, the builder shall cause a fence of redwood construction to be erected. This fence shall be six feet high, constructed immediately adjacent to the outside of the parking lot curb, and shall connect with the existing fence on the lot immediately adjacent to the south of the subject property. The builder will also cause a similar fence to be erected along the La Paix Lane side of the subject property, immediately adjacent to the outside of the parking lot curb. This fence shall extend from the fence along the western boundary line to a point directly in line with the rear or westernmost building line of the improvements constructed by the builder.

The area immediately adjacent to the outside of the fence along the

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 13th day of March, 1980, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared JOSEPH AKGABRIGHT and ESTELLE ARGABRIGHT, his wife, two of the within named parties of the first part, and they acknowledged the foregoing to be their act and executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Scal.

My Commission Expires: 7/1/82

William M. Levy

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 13th day of March, 1980, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared RALPH POWERS and ANN POWERS, his wife, and PATRICIA POWERS, three of the within named parties of the first part, and they acknowledged the foregoing to be their act and executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

7/1/82

My Commission Expires:

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STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 13th day of March, 1980, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared JAMES L. IACONE and MIMI IACONE

It is FURTHER ORDERED that all of the other terms, provisions, and restrictions of the Order of the Board of Appeals, dited November 29, 1977, not herein amended, as well as the terms, provisions, and agreements of the respective parties contained in the Restrictive Covenants Agreement, dated November 23, 1977, recorded as aforesaid, and not amended by the Amendment to Agreement, dated March 25, 1980, shall remain in full force and effect, as if fully incorporated herein, as conditions and re-

- 1. A revised site plan shall be submitted, incorporating therein or thereon the conditions and restrictions contained herein as amendments to the Order of the Board of Appeals, dated November 29,
- 2. Said revised site plan shall be approved by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

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his wife, two of the within named parties of the first part, and they acknowledged the foregoing to be their act and executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

My Commission Expires: 7/1/82

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 13th day of March, 1980, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared SCOTT BARKER and CATHERINE BARKER, his wife, two of the within named parties of the first part, and they acknowledged the foregoing to be their act and executed the same for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

Notary Public

Notary Public

William M. Levy

7/1/82

My Commission Expires:

AVHIBRIDAN ATERVATAN AND BELONDONDE DE SANCKARIAN DE SANCKARIAN AND BELONDON AND BE xidada abada xionada aka karak ya abiba bada bada karak xiba abiba karak xiba abiba karak xiba abiba karak karak MODELE MANAGED DE LA CONTRACTION DE CONTRACTOR DE LA CONT Miss with an analytics with him were the problem from the affixed AMERICAN MENTAL MENTAL

MARKET CONTROL OF THE CONTROL OF THE

STATE OF MARYLAND, COUNTY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 13thday of March, 1980, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared JOHN A. ENGEL and BEATRICE ENGEL, his wife, two of the within named parties of the first part, and they acknowledged the foregoing to be their act and executed the same for the purposes therein contained.

> EXHIBIT IN CONNECTION WITH PETITION FOR SPECIAL HEARING YORK LANE LIMITED PARTNERSHIP CASE NO. 80-250-SPH

The following is the language contained in the

Amendment to Restrictive Covenants Agreement of November 23,

recorded among the Land Records of Baltimore County. This

language is suggested for possible use in amending the

1. Paragraph 3 of said Order is amended to read

the subject property to La Paix Lane and the certain trees along La Paix Lane, which shall reasonably be determined by Builder to be diseased, shall be removed. Some of these trees exist along the northern property line and some exist within the street right-of-way line. Developer will expeditiously notify appropriate departments in Baltimore

2. Paragraph 6 of said Order is amended to read

as follows:

6. Vehicle parking shall be substantially as designated on Exhibit A, attached hereto and considered a part hereof. The exterior of the building and surrounding areas shall be lighted substantially as follows:

the parking lot located either on the curb or on the inside of the curb having a maximum height above the parking lot of five feet no inches. These lights shall be shielded along the tops and sides.

(b) Four lights, one at each corner of the building, having a maximum height of four feet no inches.

(c) Three lights, one at each entrance way along the western side of the building, located six feet no inches above the entrance threshhold, each have a 75 watt maximum alumination and each shielded so that the light flows downward only.

on the York Road side of the building, having a maximum height of seven feet no inches.

ORDER DATE

RECEIVED FOR FILING

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to read as follows:

to read as follows:

a. Four lights along the western line of the parking lot,

c. Three lights, one at each entrance way along the west-

to read as follows: There shall be no retaining wall along the western boundary or any

4. Condition and restriction No. 10 of said Order is hereby amended by adding thereto as follows:

north or La Paix Lane lot line shall be screen planted with trees and shrubs of the type hereinabove designated.

strictions in this Order, subject, however, to the following:

ORDER RECEIVED

PETITIONER'S EXHIBIT 4

1977, which Amendment is dated March 25, 1980 and is to be

Order of the County Board of Appeals dated November 29, 1977:

as follows: 3. There shall be no exit or entrance from

County regarding said tree removal.

(a) Four lights along the western line of

These lights shall be shielded and emit a soft light.

(d) Three lights, one at each entrance way

001 :

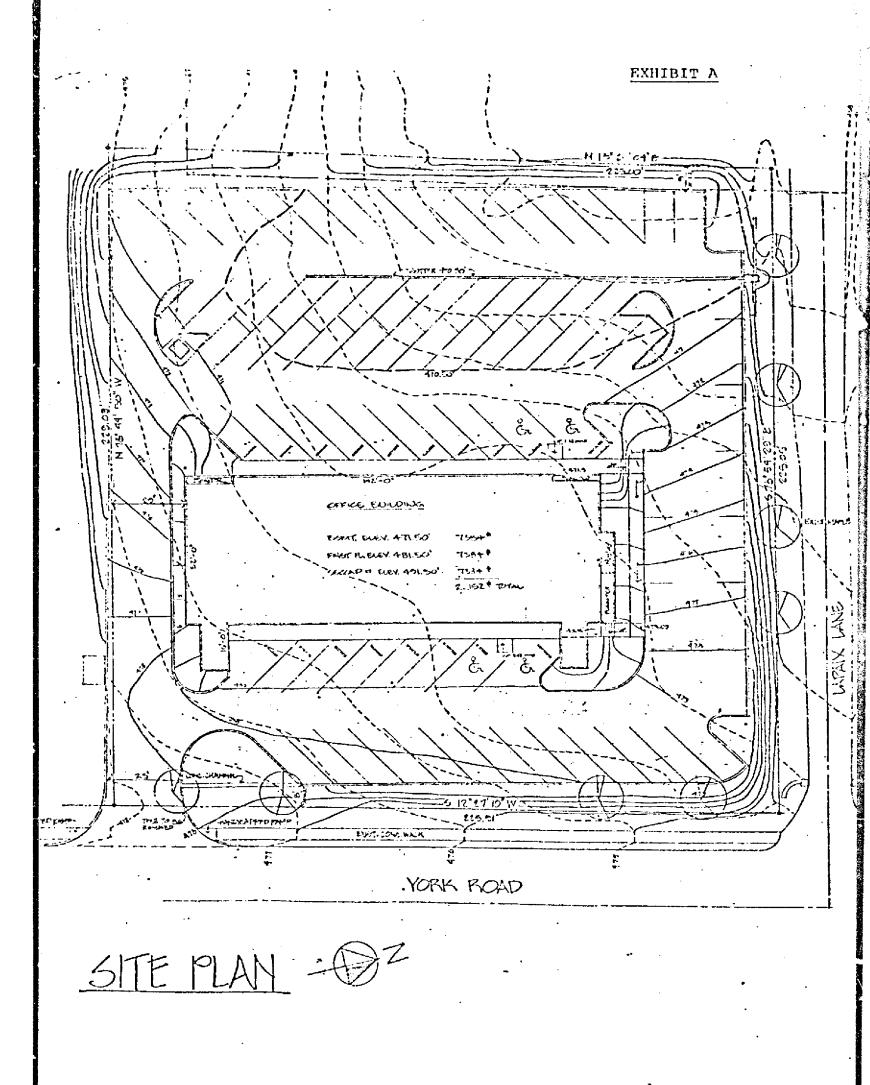
as follows:

9. There shall be no retaining wall along the western boundary or any other boundary of the subject property. Along the western boundary line of the property, Builder shall cause a fence, of redwood weave construction, to be erected. This fence shall be six feet high, constructed immediately adjacent to the outside of the parking lot curb and shall connect with the existing fence on the lot immediately adjacent to the south of the subject property. Builder will also cause a similar fence to be erected along the La Paix Lane side of the subject property, immediately adjacent to the outside of the parking lot curb. This fence shall extend from the fence along the western boundary line to a point directly in line with the rear or westernmost building line of the improvements constructed by Builder.

4. The following language is hereby added to

Paragraph 10 of said Order:

As to the area immediately adjacent to the outside of the fence erected along the north or La Paix Lane lot line, it shall be screen planted with trees and shrubs of the type hereinabove designated.



PETITION FOR SPECIAL HEARING

9th District

Petition for Special Hearing ZONING:

Southwest corner of York Road and LaPaix Lane LOCATION:

DATE & TIME: Tuesday, June 10, 1980 at 9:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

> Petition for Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the site plan and Order of the Board of Appeals (Case No. 75-125-XSPH) to revise the conditions and restriction numbers 3.6.9 and 10 in accordance with the provisions of the Amendment to Agreement dated March 25, 1980, to be recorded among the Land Records of Baltimore County

All that parcel of land in the Ninth District of Baltimore County

Being the property of York Lane Limited Partnership, as shown on plat plan fixed with the Zoning Department

Hearing Date: Tuesday, June 10, 1980 at 9:30 A.M. Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

> BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

ΛÞ LAW OFFICES GEORGE W. WHITE, JR. CHARLES MINDEL SAMUEL D. HILL. JOSEPH L. JOHNSON R. BRUCE ALDERMAN JOHN F. FOLEY, JR. STANLEY L. HOLMES PHILIP O. FOARD STEPHEN C. WINTER JAMES D. STONE WHITE, MINDEL, CLARKE & HILL GEORGE L CLARKE (1908-1975) 305 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 COUNSEL MORTON E ROME (301) 828-1050 HAVRE DE GRACE, MD OFFICE JAMES D. STONE EUGENE 1. MILES, III 412 GREEN STREET, 21078 1100 MM March 28, 1980 STEPHEN M. HEARNE POWEL G. GORDON ROBERT J. AUMILLER ARNE C. LOVE Mr. James E. Dyer Zoning Administrator Office of Planning & Zoning County Office Building Towson, Maryland 21204 Dear Jim: Pursuant to our conversation earlier today, I enclose the following copies of documents pertaining to the zoning applicable to the property located at the southwest corner of York Road and La Paix Lane:

1. Opinion and Order of Board of Appeals, dated November 29, 1977 (Order).

2. Agreement, dated November 23, 1977, between neighborhood residents and builder (Agreement).

3. Amendment to the aforesaid Agreement (Amendment).

As a result of certain negotiations between the parties back in 1977, the aforesaid Agreement was entered into providing for certain requirements, restrictions, etc. in the construction of the office building at York Road and La Paix Lane. The provisions contained in this Agreement were, in turn, incorporated into the aforementioned Order. I direct your attention specifically to paragraphs 3, 6 and 9 of that Order.

After Clark MacKenzie purchased the property from the former owner and commenced plans for construction of the office building, he started negotiating with the aforesaid residents to amend certain aspects of the Agreement which would serve to enable him to develop a better and more asthetic office complex. This resulted in the execution of the above mentioned Amendment.

The said Amendment affects only paragraphs 3, 6 and 9 of the Order. Paragraph 1 of the Amendment relates to paragraph 6 of the Order; paragraph 2 relates to paragraph 3;

R. Bruce Alderman, Esquire 305 W. Chesapeake Avenue Towson, Maryland 21204

NOTICE OF HEARING

RE: Petition for Special Hearing - SW/C York Road and LaPaix Lane York Lane Limited Partnership - Case No. 80-250-SPH

TIME: 9:30 A.M. DATE: Tuesday, June 10, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

BALTIMORE COUNTY

MILIAM E HAMMOND ZONNG COMMISSIOLLIS

May 29, 1980

R. Bruce Alderman, Esquire 305 W. Chesapeake Avenue Towson, Maryland 21204

> RE: Petition for Special Hearing EW/C York Road & LaPaix Lane Tork Lane Ltd. Partnership Case No. 80-250-SPH

Dear Mr. Alderman:

This is to advise you that _______ is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Zoning Commissioner

WEH: 6.j

WHITE, MINDEL, CLARKE & HILL

Mr. James E. Dyer March 28, 1980 Page Two

and paragraph 3 of the Amendment relates to paragraph 9 of the Order.

My specific question at this point is whether we are required to proceed by way of a special hearing to amend the Order of the Board of Appeals or can the aforesaid Amendment to the Agreement, executed by the builder and the appropriate percentage of the residents be sufficient to cause the developer to be considered in compliance with the aforesaid Order without the necessity of an additional hearing.

Thank you for your cooperation and consideration of this matter.

Sincerely,

RBA/glc Enclosures

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Date: December 17, 1979

Towson, Maryland - 21204

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building

1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: December 18, 1979

RE: Item No: 117, 119, 120, 121, 122, 123, 124 Property Owner: Location: Present Loning: Proposed Coming:

> District: No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours, Wm. Nick Petrovich, Assistant Department of Planning

PROPERTY DESCRIPTION

Beginning at the Southwest corner of York Road and La Paix Lane and running thence S 120 27: 10" West, 225.51 feet; thence North 780 44' 50" West, 229.09 feet; thence North 13° 29' 04" East, 225.00 feet; thence South 78° 54' 29" East, 225.05 feet to the point of beginning. Property known as 7400 York Road.

OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204

WILLIAM E. HAMMOND ZONING COMMISSIONER

R. Bruce Alderman, Esquire 305 West Chesapeake Avenue Towson, Marylan 21204

> RE: Petition for Special Hearing SW/corner of York Road and La Paix Lane - 9th Election District York Lane Limited Partnership - Petitioner NO. 80-250-SPH (Item No. 214)

Dear Mr. Alderman:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND Zoning Commissioner

WEH/srl

Attachments

cc: Mr. William M. Levy 105 La Paix Lane Towson, Maryland 21204

> Mr. Charles Di Julio 104 La Paix Lane Towson, Maryland 21204

Mr. Carroll L. Pfeiffer 645 Coventry Road Towson, Maryland 21204

hearing date.

John W. Hessian, III, Esquire People's Counsel

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PETITION	M	APPII	NG	PRC	GRE	SS	SHEE	T		
THEFT	Wall Map		Original		Duplicate		Tracing		200 Sheet	
FUNCTION	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
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Granted by ZC, BA, CC, CA										
Reviewed by: DI		_			ed Pla e in ou		or des	cripti		
Previous case: 75-125	SXS	PH		Map #	#					.No

80-250-5PH

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 9th Date of Posting MAY 22,1980 Posted for: PETITION FOR SPECIAL HEARING Petitioner: YORK LANE LIMITED PARTNERSHIP Location of property: SW/C YORK ROAD AND LAPAIX LANE Location of property: SW/C YORK ROAD AND LAPAIX LANE
Petition For Pecial HEARING
Posted for: A PATTIER SHIP
Petitioner: YORK LANG LIMITED TO THE POLY AND LONG THE POLY AND LO
Location of Signs: SW/C YOKK Rd. & LAPAIX LANE
Posted by Llucius L. Roland Date of return: MAY 29, 1980 Signature Number of Signature

BALTIMORE COUNTY O	OFFICE OF PLANNING & ZONING
111 W	Office Building Chesapeake Avenue n, Maryland 21204
Your Petition has been received thi	s 17th day of Mril , 1980*
Filing Fee \$ 25.00	Received: Check
	Cash
	Other
	William E. Hammond, Zoning Commissioner
22 4 12 4 2	Submitted by R. Some Alderson
Petitioner's Attorney 2. Bruce.	Alterna Reviewed by O. a. Uti-
This is not to be interpreted	as acceptance of the Petition for assignment of a

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PETITION		MAPPING PROGRESS SHEE						T		
	Wall	Wall Map		inal	Duplicate		Tracing		200 Shee	
FUNCTION	date	Ьу	date	by	date	by	date	by	date	Ь
Descriptions checked and outline plotted on map								<u> </u> 		
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by:	Revised Plans: Change in outline or descrip				script		_Ye _Ne			
Previous case: 75-12	5 X	SPH		Map	#					

PETITION FOR SPECIAL HEARING ME DISTRICT ZONING: Petition for by scial Hearing
LOCATION: Southwest corner of
York Road and LaPaix La 16
DATE & TIME: Tuesday, June 10,
1980 at 9:30 A M.
PUBLIC HEARING: Room 105,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Manufact The Zoning Commissioner of Eal-timore County, by authority of the Zoning Act and Regulations of Bai-timore County, will hold a public hearing:
Petition for Special Hearing under
Section 500.7 of the Zoning Regulations of Haltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the site plan and Order of the Board of Appeals (Case No. 75-125-XSPH) to revise the conditions and restrictions numbers 3, 6, 9 and 10 in accordance with the provisions of the Amendment to Agreement dated March 25, 1980, to Agreement dated March 25, 1980, to be recorded among the Land Records of Baltimore County
All that parcel of land in the Ninth District of Baltimore County
Beginning at the Southwest corner of York Road and La Paix Lass and running thence 8 12° 27° 10° West, 225.51 feet; thence North 78° 44′ 50° West, 229.08 feet; thence North 13° 29° 04° East, 225.00 feet; thence South 78° 54′ 29° East, 225.05 feet to the point of beginning. the point of beginning.

Property known as 7400 York Being the property of York Lane-Limited Partnership, as shown on plat plan filed with the Zoning Department
Hearing Date: Tuesday, June 10, 1980 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
By Order Of
WILLIAM E. HAMMOND,

GEORGE W. WHITE, JR. CHARLES MINDEL SAMUEL D. HILL JOSEPH L. JOHNSON R. BRUCE ALDERMAN

JOHN F. FOLEY, JR.
STANLEY L. HOLMES
PHILIP O. FOARO
STEPHEN C. WINTER
JAMES D. STONE
EUGENE L. MILES, III

STEPHEN M. HEARNÉ POWEL G. GORDON HOBERT J. AUMILLER ANNE C. LOVE

Mr. William E. Hammond

County Office Building Towson, Maryland 21204

Zoning Commissioner

Dear Bill:

also be recorded.

made without the special hearing.

on the above-referenced matter.

1980... V100

TOWSON, MD., Kay 22 , 19 80 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in eacher of one time _____ kniewossipochoceks before the ____lOth____ day of _____June _____, 19_80, the first publication appearing on the ___ 22ud ___ day of ___ Kay O THE SEFFERSONIAN, W. Frank Structur Cost of Advertisement, \$______

WHITE, MINDEL, CLARKE & HILL

YORK LANE LIMITED PARTNERSHIP

GEORGE L CLARKE

MORTON E. ROME

HAVRE DE GRACE, MD. OFFICE 4)Z GREEN STREET, 21078 (301) 239-3456

אא המי דל קקם

1 Ston Mo. 214

LAW OFFICES

WHITE, MINDEL, CLARKE & HILL

305 W. CHESAPEAKE AVENUE

TOWSON, MARYLAND 21204

(301) 828-1050

April 18, 1980

Re: Petition for Special Hearing to

Amend Order in Zoning Case

and surrounding property owners, there has been executed an

A endment to recorded Restrictive Covenants which slightly

molify the previous restrictive covenants, which covenants had been incorporated, as restrictions, in the previous Zoning Order granting the special exception for the con-

struction of the office building at York Road and La Paix Lane. This Amendment to the Restrictive Covenants will

After working for a couple of weeks with Jim Dyer, we made a determination yesterday that the best method of

Hearing to amend the previous Zoning Order. We had previously

In light of the fact that the office building in

procedure would be the filing of a Petition for Special

thought and hoped that perhaps the modifications could be

question is almost completed, we respectfully request and

petition that we be given the earliest possible hearing date as the amendments requested in our special hearing become a vital element to the closing on our permanent mortgage.

Mr. Dyer has agreed that this would be in order and asked that I write you directly specifically requesting clearance

for the earliest possible date to be assigned for hearing

As a result of negotiations between the developer

No. 75-125-XSPH

Mr. William E. Hammond April 18, 1980 Page Two

Thank you for your attention and consideration.

Sincerely,

R. Bruce Alderman

RBA/glc

cc: Mr. James Dyer

MISCE	OF FIT DE-REVENUE DIVISION LLANEOUS CASH RECEIPT	Ko. 038822
DATE	Fay 11, 1980 ACCOUN	701-662
	AMOUN	±25.00
RECEIVE	R. Fruce Alderman, E.	scuire
	Filing Fee for Case No. 1	80_2<0_com
FOR	TOTAL LAND LINE	
FOR	13 2 3 7	25.00 m

PETITION FOR SPECIAL HEARING

Zania - Dalisia da Canalal
Zoning: Petition for Special
Hearing
Location: Southwest corner of
York road and LaPaix lane.
Date & Time: Tuesday, June
10, 1980 at 9:30 a.m.
Public Hearing: Room 106,
County Office Building, 111 W.
Chesapeake Avenue, Towson,
Maryland.
The Zoning Commissioner of
Baltimore County, by authority
of the Zoning Act and
Regulations of Baltimore
County, will hold a public
hearing:
Petition for Special Hearing
under Section 500.7 of the
Zoning Regulations of
Baltimore County, to determine
whether or not the Zoning
Commissioner and/or Deputy
Zoning Commissioner should
approve an amendment to the
site plan and Order of the Board
of Appeals (Case No. 75-125-
XSPH) to revise the conditions
and restriction number : 3, 6, 9
and 10 in accordance with the
provisions of the Amendment to
provisions of the Umendinent to

Agreement dated March 25. 1980, to be recorded among the Land Records of Baltimore All that parcel of land in the Ninth District of Baltimore County. Beginning at the Southwest corner of York Road and LaPaix lane and running thence S 12° 27' 10" West, 225.51 feet; thence north 78° 44' 50" west, 229.09 feet; thence north 13' 29' 04" east, 225.00 feet; thence south 78° 54' 29" east, 225.05 feet to the point of beginning.
Property known as 7400 York

Being the property of York Lane Limited Partnership, as shown on plat plan filed with the Zoning Department. Hearing Date: TUESCAY, JUNE 10, 1989 AT 9:30 A.M. Public Rearing Room 106, County Office Building, 111 W. Chesapeaks avenue, Towson, BYORDERCF WILLIAM E. HAMMOND

Zoning Commissioner of Baltimore County

This is to Certify, That the annexed was inserted in Ote Essex Times, a newspaper printed and published in Baltimore County, once in ane

No. 08889	01-662	00	abis 80 No. 80-250-59	4 n E 5 cm
BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE-REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	DATE VILLE 18, 1980 ACCOUNT	AMOUNT SIE DO	FOR Advertising and Potting for Case No. 80-250-50	

ZHR FL. COVERED WALKWAY OVER CONC. WALK MACATAM FAME ENGLISHED STAIRWAY / SPACES / - Building Setback Line -FARKING STACES way easement EHKJA 5342/845 --- PUCE OF BEGINNING -225.51

YOHK ROOD 66 FIW

Note:

Building restriction lines shown hereon are established by zoning ordinances.

B2 TOTAL PARKY, SPASES SHOWN.

CERTIFICATE:

DEED DATED NOVEMBER 5,1979 BETWEEN JOSEPH A. ABIOSA

ET. AL. AND YORK LANE LIMITED PARTHERSHIP ET.AL. AND RECORDED

AMONG THE LAND PECORDS OF BALTIMORE COUNTY, MARYLAND

IN LIBER E.H.K.JA. 6105 POLIO 002.

I HEFEBY CERTIFY TO "THE BALTIMORE
LIFE INSURANCE COMPANY", THAT: THE SURVEY
WAS ACTUALLY MADE ON THE GROUND AND IS
COMPECT; THAT ALL RIGHTS OF WAY, BUILDING RESTRICTION
LINES, EASEMENTS AND OTHER MATTERS OF RECORD HAVE,
TO THE EXTENT CAPABLE OF BEIRG SHOWN, BEEN DELINEATED
HEREON; THAT THE LINES WERE ESTABLISED BY A TRANSIT TAPE
SURVEY AND THAT, EXCEPT AS SHOWN HEREON, THERE ARE
NO ENCROACHMENTS EITHER WAY ACROSS PROFERTY LINES.

Creorge William Stephens Jr.
and Associates Inc.

LSSTOL assign

5-14-80 dute

LES.

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS & LAND SURVEYORS
393 ALLEGHENY AVE.
TOWSON, MARYLAND 21204

REFERENCE:

As Built

Certification Plat

Nº 7402 York Road Southwest Corner Of York Road and La Paix Lane

Balto. Co., MD Scale: 1"=25 Elect. Dist. Nº 9 May 14, 1330